

Quality and Qualifications Ireland

Note of the sixty-ninth Meeting of the Authority (The Board) which took place on Friday, 22 September 2023 at 10:30 a.m. in the Boardroom, QQI Offices, 26/27 Denzille Lane, Dublin 2.

Present:

- Prof. Irene Sheridan (Chair)
- Dr. Padraig Walsh (Chief Executive)
- Ms. Cliona Curley (Secretary)
- Dr. Sean Duignan
- Dr. Sharon Feeney (Items 1-10)
- Mr. Blake Hodkinson (Items 6-20)
- Mr. Kevin McStravock
- Ms. Anne Naughton
- Mr. Bryan O'Mahony
- Ms. Maria Ward

Apologies: Ms. Marianne Doyle

In attendance:

- Ms. Caitríona Lawless (Recording Secretary)
- Mr. Liam Butler (Item 9)
- Ms. Marie Gould (Item 20)
- Ms. Louise Kelly (Item 8)
- Dr. Jim Murray (Item 7)

INTRODUCTION

The Chairperson welcomed Members to the meeting.

The Board agreed that the agenda for the meeting was acceptable and adopted same.

1. POTENTIAL CONFLICTS OF INTEREST

The Board noted that no conflicts of interest were declared.

2. MINUTES OF PREVIOUS BOARD MEETINGS

The **Minutes of the QQI Board Meeting** held on 22 May 2023 were **confirmed**, subject to a minor amendment, and signed. The **Minutes of the QQI Board Meetings** held on 19 June and 3-17 July 2023 were **confirmed** and signed.

3. NOTES OF PREVIOUS BOARD MEETINGS

The Board **approved** the **Notes of the Meetings of 22 May, 19 June and 3-17 July 2023** for publication on the QQI website.

4. MATTERS ARISING FROM THE MINUTES

The Board noted the **Action Tracker**.

4.1. Action Tracker

The Board noted the updated Action Tracker.

4.2. Miscellaneous Updates

The Board noted that the White Paper on the Core Policies and Criteria for the establishment of Listed Awarding Bodies (LABs) had been published for consultation in July with the consultation process due to close on 29 September.

The Board noted that the Memorandum of Understanding with TEQSA, the Australian Tertiary Education Quality and Standards Agency had been renewed in July.

5. CEO REPORT

The Board noted the **CEO Report**.

5.1. CEO Report

The Board noted that certification continued to perform strongly, noting increases year on year for both the June and August certification periods.

The Board noted that the Executive is nearing the final stages of re-engagement with legacy providers with approximately 50 FET providers working through the latter stages of the process. The end of this process will mark a hugely significant achievement both for the organisation and the FET and private HE sectors. The Executive outlined its intention to carry out a thematic analysis of the public and private re-engagement process.

The Board noted that work on an analysis of variation on honours bachelor degree classification between 2012-2022 had commenced and the Executive would be working with the Higher Education Authority (the HEA) on the project into next year.

It was also noted that the Cinnte Review cycle will be approaching the final year of the current cycle in 2024. The review of University College, Cork (UCC) has been completed. The Review Report has been finalised and will be presented for consideration at the next meeting of the Approvals and Reviews Committee (ARC). The reviews of Dún Laoghaire Institute of Art, Design and Technology and the Royal College of Surgeons Ireland (RCSI) University of Medicine and Health Sciences are at various stages in the review process and will be completed by year end or in early 2024. The Board noted that dates for the review of the remaining four Technological Universities (TUs) have been scheduled for throughout 2024 completing the first cycle of public higher education reviews under QQI. The Board noted that the Executive intends to evaluate the Cinnte Review process in its current format ahead of the next cycle of public HE reviews.

The Board noted that draft Regulations for the Delegation of Authority (DA) for independent private providers had been submitted to the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) for consideration and further discussion. The Board noted that the Executive expects a number of the larger independent private HE providers to seek delegated authority once the process is established and open for applications. During the course of the discussion, it was noted that some providers in this sector have not undergone an institutional review under QQI. It was noted that it would be useful and beneficial for the Executive to commence any institutional review process of this sector with the largest providers. The Executive clarified that it would not be possible to carry out a full institutional review cycle at this point but the intention would be that an external review process would commence with those providers intending to seek DA after the process opens for applications.

Board Members had a number of queries in relation to out of State Universities and resources dedicated to the International Education Mark (IEM) process, which the Executive responded to. There was a brief discussion on the resources likely to be required during the initial phase of the opening of the IEM process.

Phase 1 of the Quality Dialogue Meetings (QDMs) for 2023 had taken place during the summer period, four of which had been with Technological Universities (TUs) and five with Education and Training Boards (ETBs). A further round of meetings will commence in the next few weeks.

The Board noted that the Chief Executive, together with Dr. Billy Bennett, Registrar, Atlantic Technological University (ATU) Donegal, had made a presentation on 'Delivering Quality Assurance across Tertiary Education Boundaries – example of Ireland' to the QAA (Quality Assurance Agency for Higher Education, UK) Annual Conference. It was noted that Scotland and Wales are also moving towards establishing tertiary education systems.

The Executive confirmed that work is underway on the development of a three-year Research and Innovation workplan.

The release of a number of publications was noted:

- the NAIN (National Academic Integrity Network) Generative AI Guidelines for Educators and the NAIN Framework for Academic Misconduct and Case Management,
- the QQI Insight on Assessment: Learner Perspectives was published in September and
- the report of the Focused Review of Dublin Business School carried out under Section 34(1)(b) of the 2012 Act was now published.

It was noted that while the subject of artificial intelligence has been topical and guidance has been advanced within the tertiary education sector over the last number of years, the topic is now also being raised within the remit of the Department of Education.

6. ENGAGEMENT WITH THE DEPARTMENT OF FURTHER AND HIGHER EDUCATION, RESEARCH, INNOVATION AND SCIENCE (DFHERIS)

The Board noted updates on **Engagement with the Department of Further and Higher Education, Research, Innovation and Science.**

6.1. Performance Delivery Agreement (PDA)

The Board noted that the PDA for 2023 with DFHERIS had been finalised and signed in July. The review of and drafting of the next three-year Oversight Agreement to cover the period 2024-2026 had recently commenced. The mid-year PDA Review Meeting had taken place on 2 August between the Chairperson and Chief Executive of QQI and the Assistant Secretary and members of the Higher Education – Governance and Quality Section of the Department.

One of the key items discussed at the meeting was the Funding Model. The Board noted that the Executive is awaiting confirmation of the fees and charges related to the new processes due to open for applications in early 2024 (the IEM, Due Diligence and Protection for Enrolled Learners (PEL)). The Executive understands that the Department's priority is the aforementioned fees and charges in the first instance, and it would possibly only consider the Funding Model thereafter. The Board noted the Executive's confirmation that it is imperative that the necessary fees and charges are in place for the launch of the IEM process which is on track to be opened at the end of January 2024.

The Board noted the Quarter 2 PDA Progress Report which was submitted to DFHERIS in advance of the Review meeting.

6.2. Amended Legislation Programme (ALP)

The Board noted that a meeting had taken place on 18 July between the Minister for Further and Higher Education, Research, Innovation and Science, Mr. Simon Harris, T.D., and the Chief Executive, the Director of Development and the Director of Integration representing QQI to provide an update on the development of the IEM process. At the meeting, the Executive confirmed the intention to open the IEM process to applications in early 2024. Board Members queried the practical implications which may occur if the IEM does not open for applications as scheduled in early 2024. The Executive confirmed that there would be no real disadvantage to the sector, preparation time for applicants may be impacted to some degree but the Interim

List of Eligible Programmes (ILEP) managed by the DoJ would still be open for entries, for example. There would be no financial implications, but the intended opening date is most likely in the public domain at this point. The Board noted that DFHERIS and QQI are working with the DoJ on establishing a transitional period of three years when moving from the ILEP process to the IEM. The Executive confirmed that the DoJ would continue to monitor all learner visa requirements following the establishment of the IEM process.

The Board noted that, to date, a significant portion of the delays in the ALP have occurred on the development of the secondary legislation. The Board noted a high-level overview of ALP timelines. The ALP is made up of four key workstreams, the IEM, Due Diligence, PEL and Listed Awarding Bodies (LABs). ALP meetings are continuing with DFHERIS every fortnight at a minimum as well as separate meetings, on fees and charges for example, taking place as needed. The Board noted the spread of project plans involved in the ALP as well as the extent of external dependencies.

The Board noted that draft Due Diligence Regulations have been forwarded to the Department for consideration. The Board noted that a tender covering the procurement of external expertise to assess applications under the Due Diligence process and IEM Codes of Practice will issue once the Regulations has been finalised. Preparation of supporting documentation is underway and the ICT Unit are finalising the associated IT system.

The Board noted that draft Regulations for the Protection of Enrolled Learners have also been submitted to the Department for consideration. It was noted that this set of regulations is also subject to review by the Department of Public Expenditure, NDP Delivery and Reform (DPENDR).

7. COMPREHENSIVE POLICY DEVELOPMENT PROGRAMME

The Board noted the documents related to the **Comprehensive Policy Development Programme**.

7.1. International Education Mark

The Board noted that the draft Policy on Authorisation to Use the International Education Mark had been prepared in time for consideration in June but following the emergence of a number of technical issues, the Executive had deferred presentation of the policy to the Board to its

September meeting. As referred to under the previous item, ongoing discussions with the Department of Justice are taking place on the transition from the current ILEP scheme to the IEM. The Board noted that providers that attain the IEM (mark) are required to continue to co-operate with the Department of Justice on student immigration requirements and visas. The Mark can be withdrawn otherwise. The Board noted that under the IEM Policy, linked providers will have to engage directly with QQI, as distinct from their engagement on programme validation which occurs with their awarding body. There is a separate Monitoring Policy for linked providers under the IEM process.

The Board noted that copies of correspondence of 5 September from the Chair of the IUA Working Group on the IEM to the Chairperson of QQI and the response of 15 September were circulated to members by the Chairperson in advance of the Board meeting. The Board noted that the Executive had been in contact with the Working Group to discuss their concerns.

The Board **approved** the Policy on Authorisation to Use the International Education Mark.

8. STRATEGIC PLANNING

The Board noted an update on **Strategic Planning**.

8.1. Corporate Plan 2023

The Board noted the progress report covering Quarters 1-3 of the Corporate Plan. The Board noted that there are a number of deliverables which are running behind schedule at this point and the dependence of several of them on external parties has had an impact on the timelines involved.

8.2. Mid-term ICT Strategy Review

The Board noted the findings of the mid-term ICT Strategy review in addition to a verbal update from the Senior Manager, ICT. It was noted that the ICT requirements within the ALP had been resource intensive during 2023 which had also resulted in cost implications. The costs of QQI's hosting requirements had also increased.

The Board noted that the ICT Contract Framework is out to tender currently, and a panel is expected to be in place for January 2024. The framework allows the organisation to draw

down and release ICT contracts (resources) as required and needed, particularly, when dealing with specialist areas and projects.

9. BUDGET AND FINANCE

The Board noted the documents relating to **Budget and Finance**.

9.1. Management Accounts

The Board noted the Management Accounts for the seven months to 31 July 2023. The Board noted that as referred to under the previous item, ICT costs are currently running slightly over budget.

In relation to procurement matters, it was noted that there are currently two Requests for Tenders (RFTs) published with one more scheduled to be published during October. The tenders for the upcoming Due Diligence and IEM processes are also expected to be published in Quarter 4.

9.2. Annual Financial Statements

The Board noted that the original draft unaudited Financial Statements for the year ended 31 December 2022 were approved by the Audit and Risk Committee in February in the absence of a Board and were subsequently noted by the Board in May following its appointment. The Board noted that the audit of the Financial Statements by the Auditor and Comptroller General (C&AG) was now complete. The Board noted the explanation by the Senior Manager, Finance and Procurement in relation to the requirement to include a note on FRS17 pension liabilities.

The Board **approved** the Annual Financial Statements 2022 for signing by the Chairperson and the Chief Executive.

9.3. Funding Model

The Senior Manager, Finance and Procurement provided a verbal update on the Funding Model. The Board noted that the Department is taking a phased approach to the Funding Model prioritising the IEM and PEL fees and charges. The approach may have short term funding implications for QQI.

10. AUDIT AND RISK

The Board noted the documents relating to **Audit and Risk**.

The Board noted that the next meeting of the Audit and Risk Committee is scheduled to take place on 10 November.

10.1. Internal Audit Reports

The Board considered and **approved** the following IA reports:

- Awards and Certification Cycle and
- Development Directorate.

The Board noted that specific General Data Protection Regulation (GDPR) training had been delivered to the HR and Certification Unit staff, based on the nature of the information which is processed within those units. The Executive also confirmed that that a tender process was underway for the provision of new Awards Certificate parchments, which was also timely in light of the organisation's visual identity refresh.

The Board also noted that the development of a set of comprehensive Standard Operating Procedures (SOPs) for each of the business units in the Development Directorate was underway. The majority of the work was expected to be completed by year end.

10.2. Data Protection

The Board noted that work had been completed on the review and revision, based on recent guidance, of the full suite of Data Protection policies. The Board noted that the Executive was presenting the revised documents in batches for the Board's consideration. The first set of documents had been reviewed by the organisation's external Data Protection partner. The policies had also been considered by both the Executive Management Team (EMT) and the Audit and Risk Committee and incorporated feedback received from the Committee.

The Board **approved**:

- Data Protection Policy
- Data Breach Policy
- Data Subject Rights Policy and Procedure.

The Board also **approved**:

- Subject Access Request Policy and Procedure, subject to a number of editorial changes.

The Board noted that the suite of Data Protection policies will be reviewed on a three-year cycle unless there is requirement following an update released from the Data Protection Commission(er) or legislative changes.

11. ORGANISATION AND HUMAN RESOURCES

The Board noted an update on **Organisation and Human Resources**.

11.1. Human Resources

The Board noted that the vacancy for Head of Partnership had been filled and the resulting vacancy at senior manager (AP) level had been advertised. That competition closed on 20 September and was now proceeding to the shortlisting phase.

The Board noted an update on retirements expected before year end and the status of a number of secondment arrangements.

The Board noted that staff will be surveyed before the end of the year on the operation to date of the pilot Blended Working arrangements.

The Board noted the positive outcome to the organisation's review to retain the Keepwell Mark.

11.2. Organisational Resources

The Board noted the process for terminating the lease and licence arrangement for two floors in 10 Lower Mount Street had been completed in June. The lease on the office building at 26/27 Denzille Lane expires shortly and it was noted that DFHERIS has given approval to progress negotiations with the landlord. An independent party had been appointed to advise on and negotiate the lease renewal and will include market (rate) analysis and comparison on similar properties.

The Board noted that upgrading works to the lighting in the Denzille Lane building was underway and the Executive was still working on the refurbishment of a number of meeting rooms.

12. GOVERNANCE

The Board noted the documents relating to **Governance**.

12.1. Committee Members - Appointments

The Board **approved** the following appointment to QQI Committees:

- Cróna Gallagher to the Programmes and Awards Oversight Committee (PAOC) and
- the extension of the membership of Jim Murray on the Policies and Standards Committee (PSC) for a further two years.

The Board also noted the extension of the memberships of John O'Connor (by one year) and Jim Murray (by two years) on the Programmes and Awards Executive Committee (PAEC).

13. ITEMS FOR NOTING

The Board noted the **Items for Noting**.

13.1. Policies and Standards Committee

The Board noted the reports of the meetings of the Policies and Standards Committee held on 21 November 2022 and 27 March 2023.

13.2. Approvals and Reviews Committee (ARC)

The Board noted the report of the meeting of the Approvals and Reviews Committee held on 23 February 2023.

13.3. Programmes and Awards Executive Committee

The Board noted the reports of the meetings of the Programmes and Awards Executive Committee held on 8 June and 13 July 2023.

13.4. Rolling Board Agenda 2023

The Board noted an update on the Rolling Board Agenda for 2023.

14. APPEALS MATTERS

The Board noted the documents relating to **Appeals Matters**.

The Board noted that the first appeal of a QQI decision had been received by the Appeal Panel and an Appeals Board met on 8 September. The Board noted that an Appeal Board is constituted by the Appeals Panel Chair from the members of the Appeals Panel. It was noted that following its consideration of the appeals application, the Appeals Board affirmed the decision of the QQI Board to refuse the approval of the QA procedures of the specified provider.

It was noted that the membership term of the current Appeals Panel expires in January 2024. Members are appointed by the Minister and the Department are currently working on the population of the next panel.

The Board noted that as with other refusals of approval of QA procedures, the current programmes must be taught out and the learners currently enrolled would not be disadvantaged.

15. REVIEWS

The Board noted the document related to **Reviews**.

15.1 Focused Review

The Board noted that the first focused review conducted under Section 34(1)(b) of the 2012 Act had taken place in Dublin Business School (DBS). A focused review was initiated to review the processes and activities specific to the withdrawal of QQI validated programmes in Applied Social Care from the CORU professional accreditation registration process in DBS. There was a brief discussion on the findings and the implications for providers of similar programmes or providers seeking professional accreditation for programmes in other specialities/disciplines in the future.

It was noted that the report of the review has been published on the QQI website. A follow up report from the provider is due no later than 12 months after publication of the review report.

A Board Member queried if there is an early warning system in place whereby providers alert the Executive to potential issues at an early date. The Executive confirmed that such a system

is one of the conditions of programme validation and there have been instances of its use. The Board suggested that the Executive should write to providers annually to remind them of the conditions of programme validation.

16. COMMUNICATIONS

The Board noted an update on **Communications**.

16.1 Media Mentions

The Board noted the media mentions covering the period 20 June to 8 September 2023.

16.2 QQI Visual Identity Refresh

The Executive provided an update on the rollout of the first elements of the QQI visual identity refresh. The new logo was scheduled to be launched during the week of 23 September beginning with changes to the website and social media accounts in the first instance. It was noted that the changes would be reflected on the awards parchments from January 2024.

17. DRAFT BOARD AGENDA

The Board noted the **Draft December 2023 Board Agenda**.

The Board noted the draft Agenda for its next meeting scheduled for 4 December. The Board noted that the development process for the next Statement of Strategy covering the period 2025-2027 is expected to commence in Quarter 4 of this year. It is expected that part of the process will involve a Board Strategy Workshop in January 2024 – date to be confirmed.

18. NEXT MEETING

The Board noted the next meeting would take place on Monday, 4 December.

The Board noted that date options have been discussed by the Chairperson and the Executive for a schedule of Board Meetings in 2024 and the options would be circulated to Members in the coming days. It was noted that the date of the February meeting may yet be impacted by the site-visit which forms part of the ENQA Review. The Executive was awaiting final confirmation of the dates involved.

19. ANY OTHER BUSINESS

There was no other business.

20. ENQA REVIEW

As part of the input into the organisation's Self-Assessment Report for the external targeted review by the European Association for Quality Assurance in Higher Education (ENQA) of QQI's compliance against the Standards and Guidelines for Quality Assurance in the Higher Education Area, 2015 (ESG), a Workshop followed the Meeting. As part of the Workshop, the Board contributed to a SWOT analysis of the organisation. It was noted that similar sessions were also being carried out with the Committees and staff.

The Chairperson thanked everyone for their participation and contributions.

THIS CONCLUDED THE BUSINESS OF THE MEETING.